

# Circuit Judge Carlos T. Bea Takes Oath of Office

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*Circuit Judge Carlos T. Bea, above, receives the oath of office from Chief Judge Mary M. Schroeder. Investiture speakers included Justice Laurence D. Kay, top, California State Historian Kevin Starr and prominent politico Willie Brown, former mayor of San Francisco.*

Carlos T. Bea confirmed last September as the newest member of the United States Court of Appeals for the Ninth Circuit, was formally invested into office Friday (Jan. 23) in a lively ceremony at the Court of Appeals in San Francisco.

Some 200 guests crowded into the decorous Courtroom One to watch Judge Bea receive the oath of office from Ninth Circuit Chief Judge Mary M. Schroeder, then be presented with his judicial robe by his wife, Louise, and sons Sebastian, Alexander, Nicholas and Dominic. They also heard remarks by friends and colleagues in the law and politics, including the ex-mayor of San Francisco, Willie Brown, who spoke of Judge Bea with humor and affection of Judge Bea.

One of a half-dozen Ninth Circuit judges of Hispanic descent, Judge Bea's investiture drew coverage from Hispanic media, including a Univision television camera crew from San Jose.

Having waited 12 years to reach the federal bench, the moment was clearly savored by Judge Bea, who expressed pride in his accomplishment, and offered thanks to the many people who had helped him along the way, particularly his wife and sons.

"You were always there, telling me, 'It is going to happen,' " Judge Bea said with a nod to his family.

A lawyer and Superior Court judge in San Francisco for more than 40 years, Judge Bea was first nominated to the federal bench in 1991 by then-President George H.W. Bush. His nomination for a seat on the U.S. District Court for the Northern District of California failed to reach the Senate floor. A dozen years passed before the opportunity knocked again. This time it was President George W. Bush, who nominated Judge Bea to a vacant seat on the Ninth Circuit. The nomination was announced in April 2003 and Senate confirmation was received five months later.

A Republican, Judge Bea thanked President Bush and White House Counsel Alberto Gonzales for selecting him, and Department of Justice staff attorney Kristi L. Remington for managing his nomination through the confirmation process. However, he also acknowledged receiving bipartisan support in the Senate thanks to California Senators Diane Feinstein and Barbara Boxer, both Democrats. He noted that Sen. Boxer introduced him to the Senate Judiciary Committee, essentially "clearing the way" for him with committee Democrats. He also described California state Senator John Burton, a Democrat who previously served in Congress, as a longtime friend who had helped promote his candidacy for the bench.

Coming onto the Ninth Circuit bench, Judge Bea said he found his colleagues to be "generous and open in their welcome and full of unfailing good humor."

Drawing laughter, he later confided that he had learned that "you can say just about anything you want about another judge's decision, no matter how critical, as long as you punctuate correctly, and preface your remarks with the words 'with respect.' "

Born in Spain, he emigrated in 1939 with his mother and older brother shortly after the Nazi invasion of Poland. They landed in Cuba, later moved to Florida and eventually worked their way to California in the mistaken belief that "everyone must speak Spanish in towns with names like Los Angeles and San Francisco," Judge Bea explained.

"She was mistaken. But then again, she may have just spoken too soon," he observed dryly, drawing laughter and applause from among his guests.

Soon after settling in Los Angeles, Judge Bea's mother died. Thanks to trusts and with help from friends and family, the two boys flourished. Judge Bea went on to attend Stanford University, where he earned his undergraduate and law degrees. He became a naturalized citizen in 1959, the same year he went into private practice with the San Francisco law firm of Dunne, Phelps & Mills. He left as a partner in 1975 and practiced on his own until being named to the San Francisco Superior Court in 1990.

Also speaking at the event were Associate Justice Laurence D. Kay of the California Court of Appeal, First District, and California State Librarian Dr. Kevin Starr. They described Judge Bea as a man with friends at all levels of society, who was as much at ease with Spanish royalty, receiving a prestigious award, as he was chatting with street cleaners on a busy San Francisco street .

"He has lived his life fully and generously with devotion to his family but with time for others," observed Starr.

For his part, ex-mayor Brown offered a phrase meant to convey his highest respect for those who have succeeded.

"Brother, you made it," he said